

## **Remarks/Arguments:**

### **I. Drawing objections:**

The attached replacement sheets are formal drawings intended to replace the original drawings filed. It is submitted that these formal drawings satisfy the objections outlined in Form PTO-948 (October 9, 1997).

### **II. Specification objections:**

The Examiner has required that the 109 pages of paper appendices as filed on October 4, 1996 be submitted in microfiche form. It had been requested that the Applicants be permitted to submit the microfiche upon allowance of the claims or be permitted to amend the specification to specifically incorporate by reference Applicant's original application Serial No, 08/284,910, filed August 2, 1994 (now U.S. Pat. No. 5,586,037 (the "'037 patent") of which the present application is a continuation. Notably, Applicant's '037 patent includes the entire 109 pages of the paper appendices. The Applicants have amended the specification to incorporate by reference the appendices of the '037 patent in the present application, and the Examiner has indicated in the present action that such an amendment would be approved (Examiner's Action, page 4, ¶8.2)

### **III. 35 U.S.C. §102(e) rejections:**

The Examiner has also rejected claims 5-12 and 16-19 under 35 U.S.C. §102(e) as being anticipated by the '464 patent (i.e. Ramsden). The Examiner has correctly noted that the Applicants have copied these claims as well as other claims from the '464 patent (see earlier communication from Applicants, filed September 2, 1997 - "Communication under 37 C.F.R. §1.607(c)"). It is respectfully submitted that the Applicants' effective filing date is April 1, 1991, not August 2, 1994 as contended by the Examiner. The Examiner, in maintaining his rejection, contends that the disclosure in Applicants' earlier parent application (Serial No. 07/678,863, filed April 1, 1991 and now abandoned) of the use of a pre-paid magnetic card does not support the later disclosure in the present application of payment via a credit card. On the contrary, however, the Examiner's attention is further directed to page 1, line 35-36 of application Serial No.

07/678,863 which states "[alternatively, the customer may use a credit card to make payment. Applicants therefore respectfully request withdrawal of this rejection.

Respectfully submitted,

Date: 10/4/04

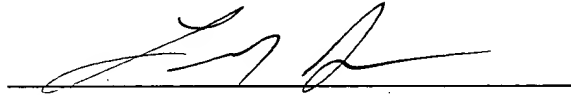


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CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 4, 2004.



Laura Barrow